

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
EXECUTIVE OFFICE OF THE MAYOR  
MAYOR'S OFFICE OF LEGAL COUNSEL  
Freedom of Information Act Appeal: 2017-02**

November 9, 2016

VIA ELECTRONIC MAIL

Mr. Thomas McCally

RE: FOIA Appeal 2017-02

Dear Mr. McCally:

This letter responds to the administrative appeal you submitted to the Mayor under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-537 ("DC FOIA"). In your appeal, you assert that the District of Columbia Child and Family Services Agency ("CFSA") failed to respond to a request you submitted on April 26, 2016, for records related to the reporting of allegations of certain categories of child sex abuse.

After you had subsequent conversations with CFSA about the status of your FOIA request but received no written response, you filed an appeal on October 21, 2016, of the constructive denial of your request. After you filed your appeal, CFSA provided you with a substantive response to your FOIA request on October 28, 2016. CFSA subsequently informed this Office that it had responded to your FOIA request.

As your appeal was based on CFSA's lack of response to your FOIA request, we consider your appeal to be moot and it is dismissed; provided, that the dismissal shall be without prejudice to you to assert any challenge, by separate appeal, to the substantive response CFSA sent you.

If you are dissatisfied with this decision, you may commence a civil action against the District of Columbia government in the Superior Court of the District of Columbia in accordance with DC FOIA.

Respectfully,

Mayor's Office of Legal Counsel

cc: Wendy Singleton, FOIA Officer, CFSA (via email)